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10-11-01

Docket No.: 000166.0112-US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael E. Rickey, et al.

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: August 31, 2001

Examiner: Not Yet Assigned

For: RESIDUAL SOLVENT EXTRACTION
METHOD AND MICROPARTICLES
PRODUCED THEREBY



INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each reference on PTO/SB/08 is attached.

A concise explanation of relevance of the items listed on form PTO/SB/08 is:

☒ not given

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☐ given for only non-English language listed items

[] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Order No. 000166.0112-US00.

Dated: August 31, 2001

Respectfully submitted,

By


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Attorneys for Applicant

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PTO/SB/08A (08-00)

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	Not Yet Assigned
				Filing Date	Herewith
				First Named Inventor	Michael E. Rickey
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	3	Attorney Docket Number	000166.0112-US00

09/19/2001
 U.S. PTO
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A	3,523,906		Vrancken, <i>et al.</i>	08-11-1970	
	B	3,691,090		Kitajima, <i>et al.</i>	09-12-1972	
	C	3,737,337		Schnoring, <i>et al.</i>	06-05-1973	
	D	3,773,919		Boswell, <i>et al.</i>	11-20-1973	
	E	3,891,570		Fukushima, <i>et al.</i>	06-24-1975	
	F	3,960,757		Morishita, <i>et al.</i>	06-01-1976	
	G	4,221,862		Naito, <i>et al.</i>	09-09-1980	
	H	4,384,975		Fong	05-24-1983	
	I	4,389,330		Tice, <i>et al.</i>	06-21-1983	
	J	4,530,840		Tice, <i>et al.</i>	07-23-1985	
	K	4,818,517		Kwee, <i>et al.</i>	04-04-1989	
	L	4,940,588		Sparks, <i>et al.</i>	07-10-1990	
	M	5,066,436		Komen, <i>et al.</i>	11-19-1991	
	N	5,385,738		Yamahira, <i>et al.</i>	01-31-1995	
	O	5,407,609		Tice, <i>et al.</i>	04-18-1995	
	P	5,428,024		Chu, <i>et al.</i>	06-27-1995	
	Q	5,478,564		Wantier, <i>et al.</i>	12-26-1995	
	R	5,541,172		Labrie, <i>et al.</i>	07-30-1996	
	S	5,650,173		Ramstack, <i>et al.</i>	07-22-1997	
	T	5,654,008		Herbert, <i>et al.</i>	08-05-1997	
	U	5,654,010		Johnson, <i>et al.</i>	08-05-1997	
	V	5,656,297		Bernstein, <i>et al.</i>	08-12-1997	
	W	5,656,299		Kino, <i>et al.</i>	08-12-1997	
	X	5,658,593		Orly, <i>et al.</i>	08-19-1997	
	Y	5,667,808		Johnson, <i>et al.</i>	09-16-1997	
	Z	5,688,801		Mesens, <i>et al.</i>	11-18-1997	
	AA	5,770,231		Mesens, <i>et al.</i>	06-23-1998	
	AB	5,747,058		Tipton, <i>et al.</i>	05-05-1998	
	AC	5,792,477		Rickey, <i>et al.</i>	08-11-1998	
	AD	5,871,778		Kino, <i>et al.</i>	02-16-1999	
	AE	5,916,598		Rickey, <i>et al.</i>	06-29-1999	
	AF	5,942,253		Gombotz, <i>et al.</i>	08-24-1999	
	AG	5,945,126		Thanoo, <i>et al.</i>	08-31-1999	
	AH	5,965,168		Mesens, <i>et al.</i>	10-12-1999	
	AI	6,110,503		Rickey, <i>et al.</i>	08-29-2000	

FOREIGN PATENT DOCUMENTS							
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		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	AJ	WO	89/03678		Lewis, <i>et al.</i>	05-05-1989	
	AK	WO	90/13361		Tice, <i>et al.</i>	11-15-1990	
	AL	EP	0 486 959		Canal, <i>et al.</i>	05-27-1992	
	AM	WO	94/10982		Kino, <i>et al.</i>	05-26-1994	X
	AN	WO	95/13799		Ramstack, <i>et al.</i>	05-26-1995	
	AO	WO	96/40049		Eckenhoff	12-19-1996	

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				Application Number	Not Yet Assigned
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				First Named Inventor	Michael E. Rickey
				Group Art Unit	Not Yet Assigned
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Sheet	2	of	3	Attorney Docket Number	000166.0112-US00

	AP	WO	97/41837		Rickey, <i>et al.</i>	11-13-1997		
	AQ	WO	99/12549		Illum, <i>et al.</i>	03-18-1999		
	AR	EP	0 831 773		Eckenhoff, <i>et al.</i>	12-01-1999		
	AS	WO	00/66087		Gibson, <i>et al.</i>	11-09-2000		

Examiner Signature		Date Considered	
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		Group Art Unit	N/A		
		Examiner Name	Not Yet Assigned		
Sheet	3	of	3	Attorney Docket Number	000166.0112-US00

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AT	M.J. ACKERS, et al., "Formulation Design and Development of Parenteral Suspensions," Journal of Parenteral Science & Technology, Vol. 41, No. 3, May-June 1987, pp. 88-96	
	AU	MARIA J. ALONSO, et al., "Determinants of Release Rate of Tetanus Vaccine from Polyester Microspheres," Pharmaceutical Research, Vol. 10, No. 7, 1993, pp. 945-953	
	AV	LEE R. BECK, et al., "Poly (DL-Lactide-co-glycolide)/Norethisterone Microcapsules: An Injectable Biodegradable Contraceptive," Biology of Reproduction, Volume 28, Number 1, February 1983, pp. 186-195	
	AW	R. BODMEIER and J.W. McGINITY, "Solvent selection in the preparation of poly(DL-lactide) microspheres prepared by the solvent evaporation method," International Journal of Pharmaceutics, Vol. 43 (1988), pp. 179-186	
	AX	Y. CHA and C.G. PITT, "The Acceleration of Degradation-Controlled Drug Delivery from Polyester Microspheres," Journal of Controlled Release, Vol. 8 (1989), pp. 259-265	
	AY	Y. CHA and C.G. PITT, "A One-Week Subdermal Delivery System for L-Methadone Based on Biodegradable Microcapsules," Journal of Controlled Release, Vol. 7 (1988), pp. 69-78	
	AZ	B. CONTI, et al., "Use of polylactic acid for the preparation of microparticulate drug delivery systems," Journal of Microencapsulation, 1992, Vol. 9, No. 2, pp. 153-166	
	BA	R. JALIL and J.R. NIXON, "Biodegradable poly(lactic acid) and poly(lactide-co-glycolide) microcapsules: problems associated with preparative techniques and release properties," Journal of Microencapsulation, 1990, Vol. 7, No. 3, pp. 297-319	
	BB	WEN-I LI, et al., "Prediction of solvent removal profile and effect on properties for peptide-loaded PLGA microspheres prepared by solvent extraction/evaporation method," Journal of Controlled Release, Vol. 37, No. 3, December 1995, pp. 199-214	
	BC	Y.F. MAA and C. HSU, "Liquid-liquid emulsification by static mixers for use in microencapsulation," Journal of Microencapsulation, 1996, Vol. 13, No. 4, pp. 419-433	
	BD	H.V. MAULDING, et al., "Biodegradable microcapsules: Acceleration of Polymeric Excipient Hydrolytic Rate by Incorporation of a Basic Medicament," Journal of Controlled Release, Vol. 3 (1986) pp. 103-117	
	BE	HONGKEE SAH, et al., "A Novel Method of Preparing PLGA Microcapsules Utilizing Methylethyl Ketone," Pharmaceutical Research, Vol. 13, No. 3, 1996, pp. 360-367	
	BF	TOYOMI SATO, et al., "Porous Biodegradable Microspheres for Controlled Drug Delivery. I. Assessment of Processing Conditions and Solvent Removal Techniques," Pharmaceutical Research, Vol. 5, No. 1, 1988, pp. 21-30	

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